

REMARKS

With this response, Applicants have amended claims 1-20, 25-30, 32, 34, 37-41, and 45-49, have canceled claims 50-53, and have added claims 54-58. As such, claims 1-49 and 54-58 are presented for consideration and allowance. Favorable reconsideration and allowance of this application is respectfully requested in light of the foregoing amendments and remarks that follow

STATUS OF CLAIMS

- 1) Claim 32 is rejected under 35 U.S.C. § 112, second paragraph as reciting “the foot” for which antecedent basis is lacking;
- 2) Claims 1, 5, 6, 17, 22, 23, 25-31, 34, 36, 37, 40-47 and 49-53 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Brodersen, U.S. Patent No. 5,957,426;
- 3) Claims 1 and 8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Brodersen, U.S. Patent No. 5,984,410;
- 4) Claims 2-4, 7 and 48 stand rejected under 35 U.S.C. § 103(a) as being obvious over the Brodersen, ‘426 patent in view of Roethlisberger, U.S. Patent No. 4,057,120;
- 5) Claim 32 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112; and
- 6) Claims 9-16, 18-21, 24, 33, 35, 38, and 39 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form.

RESPONSE TO CLAIM OBJECTION(S)

Applicants respectfully request withdrawal of the rejection of claim 32 under 35 U.S.C. § 112 because Applicants have amended it to change the claim term “foot” to “roller” for which there is proper antecedent basis.

ARGUMENTS SUPPORTING PATENTABILITY

1. The rejection of claim 1 is overcome and should be withdrawn.

Claim 1 has been amended in a manner that distinguishes it over the Brodersen patent by adding claim limitations not disclosed, taught or otherwise suggested by Brodersen. The Brodersen patent fails to disclose any kind of a suspension *module* for a vehicle seat suspension that includes a frame separate from the base or seat supporting platform, a pivotable arm pivotally carried by the frame that is disposed, e.g., located, between the base and platform, and a biasing element, such as a spring, e.g., coil spring, that cooperates with the frame of the suspension module and with the pivotable arm to oppose suspension collapse. More specifically, the Brodersen patent fails to disclose, teach or suggest any kind of a suspension *module* for a vehicle seat suspension, let alone the claimed suspension module defined in claim 1.

The Roethlisberger reference is not analogous prior art and even assuming otherwise does nothing to remedy the deficiencies of the Brodersen patent. For example, even if one assumes for arguments sake that the Roethlisberger patent is somehow deemed to be analogous art, it still does not disclose, teach or otherwise suggest all of the recited claim limitations presented in claim 1 when combined with Brodersen. More specifically, the proposed but improper combination all Brodersen and Roethlisberger do not disclose a suspension module for a vehicle seat suspension that includes a frame that pivotally carries a pivotable arm that is in cooperation with a biasing element that also cooperates with the frame to oppose suspension collapse. Neither Brodersen nor Roethlisberger disclose, teach or suggest the recited claim limitations of a pivotable arm and biasing element in combination with a frame that is separate from the base or seat supporting platform of the vehicle seat suspension defined in claim 1.

Claim 1 is also believed to be in condition for allowance because one of ordinary skill in the art would not have been motivated to combine Brodersen with Roethlisberger because the secondary reference, Roethlisberger, is non-analogous art. Roethlisberger is non-analogous art because it 1) is not in the same field of endeavor as the claimed invention, and 2) is not

reasonably pertinent to the particular problem with which the Applicants are involved. *In re Clay*, 23 USPQ2d 105 (Fed. Cir. 1992).

First of all, Roethlisberger is directed to a front wheel vehicle drive and vehicle suspension arrangement, which is very different from the seat suspension. A vehicle suspension is not within the same field of endeavor as a vehicle seat suspension because a vehicle suspension is intended for maximizing contact between each vehicle wheel affected by the suspension and the terrain over which the vehicle is traveling. This is very different than the purpose of a vehicle seat suspension, which is to cushion a seat occupant from bumps, jolts and vibration encountered during vehicle operation.

Second of all, a vehicle suspension, such as is disclosed in Roethlisberger, solves a problem not reasonably pertinent to the particular problem with which applicants are involved. Solving the problem of attempting to keep a vehicle wheel in contact with the terrain over which a vehicle is traveling is very different from the problem attempted to be solved by applicants invention which deals with cushioning a seat occupant from bumps, jolts and vibration encountered during vehicle operation. Indeed, in at least some instances, it is contemplated that the present invention is advantageous because it attempts to solve this problem even in instances where the vehicle is equipped with a suspension of the type disclosed in Roethlisberger as such suspensions often actually contribute to the problem attempted to be solved by the claimed invention. In other words, applicants respectfully submit that Roethlisberger is not analogous art because it can actually contribute to the problem solved by applicants invention and in no way is intended as a substitute for applicants invention.

The vehicle suspension disclosed in the Roethlisberger patent is therefore not “reasonably pertinent” to the particular problem with which the Applicants are involved because it does not have “the same purpose as the claimed invention.” *In re Clay*, 23 USPQ2d at 1061. Roethlisberger is not analogous prior art and should therefore be withdrawn.

For at least these reasons, claim 1 is believed presented in condition for allowance and its allowance is respectfully requested.

2. The rejection of dependent claims 2-8 should also be withdrawn.

Claims 2-8 are believed presented in condition for allowance because each one of these dependent claims ultimately depends from independent claim 1, which is believed presented in condition for allowance for at least the reasons stated above. In addition, each one of claims 2-8 are independently believed to define patentable subject matter so as to be independently allowable. Therefore, for at least these further reasons, applicants respectfully submit that claims 2-8 are allowable and therefore request allowance of these claims.

Dependent claim 2 is believed to distinguish over the prior art of record because none of the references, alone or in combination, disclose, teach or suggest a suspension module for a vehicle seat suspension having a frame that comprises "an elongate fore-aft extending tubular housing" along with the biasing element comprising "at least one fore-aft extending elongate spring" it is carried by the housing and movable relative to the housing. The housing the examiner purports is disclosed by Brodersen in the marked up Brodersen drawing figure on page 3 of the Office Action, does not correspond to the claimed housing recited in dependent claim 2 (and independent claim 1 for that matter), which is required to be separate from the "housing" identified by the examiner in the drawing figure shown on page 3 of the Office Action. For at least these further reasons, claim 2 is believed presented in condition for allowance and its allowance is respectfully requested.

Dependent claim 3 is believed to distinguish over the Brodersen and Roethlisberger references, alone or in combination, because none of these references, disclose, teach or suggest, a bell crank arm in combination with the "at least one spring" being movable relative to the suspension module frame, e.g., housing, without substantially changing the tension of the "at least one spring" in carrying out height adjustment and with the "at least one spring" being movable relative to the suspension module frame causing spring tension to change in carrying out weight adjustment. To the extent that the Brodersen '426 patent discloses any kind of a bell crank mechanism, it does not disclose any kind of a height adjustment arrangement whereby any spring that cooperates with the bell crank mechanism is movable without changing its tension when carrying out height adjustment. Indeed, the Brodersen '426 patent further fails to disclose teach or suggest the same spring being movable so as to cause a change in spring tension in

carrying out weight adjustment. For at least these additional reasons, claim 3 is believed presented in condition for allowance and its allowance is respectfully requested.

Dependent claim 4 is believed presented in condition for allowance because it depends from dependent claim 3, which is believed itself presented in condition for allowance for at least the reasons set forth above. In addition, dependent claim 4 adds the further limitations that require height adjustment and weight adjustment to be substantially independent of one another. Neither one of the Brodersen patents (nor the Roethlisberger reference for that matter) disclose, teach or suggest the invention defined in claim 4.¹ For at least these further reasons, claim 4 is believed presented in condition for allowance and its allowance is respectfully requested.

Dependent claim 5 is also believed presented in condition for allowance because, among other things, none of the references of record, alone in combination, disclose, teach or suggest a housing of a suspension module that is separate from the base or seat support platform that includes a tubular housing that has an interiorly located damper mount to which a damper attaches. Such an arrangement advantageously produces a vehicle seat suspension module of compact construction that is also capable of accommodating a damper. For at least these additional reasons, claim 5 is believed presented in condition for allowance and its allowance is respectfully requested.

As amended, dependent claim 6 is believed to distinguish over the prior art of record. In addition to no prior art of record disclosing a suspension module that includes a height and weight adjust assembly, no prior art of record, including both Brodersen references (as well as the Roethlisberger reference for that matter) disclose teach or suggest such a vehicle seat

¹ Though the Abstract of Brodersen states that the vehicle seat suspension of provides "independent weight adjustment" this does not mean that height adjustment is substantially independent of weight adjustment as is required by applicants' dependent claim 4. Rather, as is shown in Figs. 7-9 of Brodersen, height adjustment can and does affect weight adjustment by causing the bell crank arms 55 to pivot during height adjustment thereby changing the tension or preload of the springs 31, 32 (Figs. 1-2) thereby causing weight adjustment to occur during height adjustment. Therefore, even if one assumes for argument's sake that weight adjustment in the Brodersen vehicle seat suspension is somehow independent of height adjustment, height adjustment is *not* substantially independent of weight adjustment.

suspension module for a vehicle seat suspension that is engageable to either the base or the seat supporting platform without any weld.

Dependent claim 7 is also believed presented in condition for allowance because none of the references of record disclose, teach or suggest a preassembled suspension module for a vehicle seat suspension that includes a height and weight adjustment assembly.

Dependent claim 8 is also believed presented in condition for allowance because none of the references of record disclose, teach or suggest a suspension module for a vehicle seat suspension that includes a tubular suspension module housing having an elongate wall that engages either the base or the seat support platform of the vehicle seat suspension.

3. The rejection of claim 17 is overcome and should be withdrawn.

Claim 17 has been amended into independent claim format and so it includes limitations recited in dependent claim 15, a claimed indicated by the examiner as reciting allowable subject matter. For at least this reason as well as because none of the prior art references of record disclose, teach or suggest the invention defined in independent claim 17, this claim is believed presented in condition for allowance and its allowance is respectfully requested.

4. The rejection of dependent claims 22 and 23 should also be withdrawn.

Claims 22 and 23 are believed presented in condition for allowance because each one of these dependent claims ultimately depends from independent claim 1, which is believed presented in condition for allowance for at least the reasons stated above. In addition, both of these claims also depend from dependent claim 21, a dependent claim the examiner has indicated as reciting allowable subject matter.

5. The rejection of claim 25 is overcome and should be withdrawn.

Claim 25 has been amended into independent form and is believed presented in condition for allowance because, despite being rejected under 35 USC § 102(b), Brodersen either alone or in combination with any other reference of record, fails to disclose, teach or suggest "a cam" carried by the base or the platform (which ever is not carrying the suspension arrangement) that cooperates with the pivotable arm as defined in this claim. In addition, the Office Action fails to make a prima facie rejection under 35 USC §102(b) because nowhere is it identified in the office action where Brodersen or any other reference for that matter discloses, teaches or suggests the

"cam" as recited in claim 25, let alone in combination with the rest of the limitations recited in claim 25. For at least these reasons, independent claim 25 is believed presented in condition for allowance and its allowance is respectfully requested.

6. The rejection of claim 26 is overcome and should be withdrawn.

Independent claim 26 has been amended not for the purpose of distinguishing it over the cited references, but rather to better define the claimed invention and to present a claim having a scope different than that of independent claim 25. While it was believed claim 26 was presented in condition for allowance prior to amendment, it is believed to be presented in condition for allowance because none of the cited references of record, including the Brodersen references and the Roethlisberger patent, disclose the recited cam including in combination with the bell crank arm with which it cooperates. For at least these reasons, independent claim 26 is believed presented in condition for allowance and its allowance is respectfully requested.

7. The rejection of dependent claims 27- 29 should also be withdrawn

Claims 27-29 are believed presented in condition for allowance because each one of these dependent claims ultimately depends from independent claim 26, which is believed presented in condition for allowance for at least the reasons stated above. In addition, each of these claims is believed to recited patentable subject matter independent from any claim from which it depends. Therefore, for at least these reasons, each of dependent claims 27-29 is believed presented in condition for allowance and its allowance is respectfully requested.

Contrary to what the examiner has indicated in the Office Action, none of the references disclose, teach or suggest a cam that cooperates with a bell crank arm of a suspension arrangement of a vehicle seat suspension with the cam including a ramp fixed to the base or seat supporting platform as is defined in claim 27. With reference to the Examiner's marked up drawing figure from Brodersen reproduced on page 3 of the Office Action, it is not clear what component or components in the drawing figure correspond to "Linear ram" or whether the caption was meant to state "Linear ramp" instead. There clearly are no reference numbers that correspond to a cam of any kind, let alone a ramp that provides a camming surface as claimed.

In addition, applicants can find nothing in the Summary and Detailed Description text sections of the Brodersen patent that corresponds to a ramp, let alone any other kind of a

camming surface with which a bell crank arm can cooperate. For example, in the Brodersen 426 patent, to the extent it discloses a bell crank arm, e.g., bell cranks 55, it does not cooperate with any kind of a cam that is a ramp that is fixed, i.e., immovably attached, to either the base or the platform of the vehicle seat suspension as is defined in claim 27.

With regard to dependent claim 28, as with applicants remarks directed to claim 27, neither Brodersen reference (nor Roethlisberger for that matter) discloses, teaches or suggests a cam that has a substantially linear profile that cooperates with a bell crank arm in a manner that produces a substantially linear load-deflection vehicle seat suspension curve as defined in dependent claim 28. First, as previously discussed, the part of the vehicle seat suspension drawing figure from Brodersen marked up with the label "linear ram" by the examiner and shown on page 3 of the Office Action does not show any kind of structure corresponding to a cam having a substantially linear profile as defined in claim 28. Even if one assumes for arguments sake that the "linear ram" somehow does disclose such a cam, the structure identified by the examiner in the Brodersen drawing figure does not cooperate with a bell crank arm.

With regard to dependent claim 29, both Brodersen references (as well as the Roethlisberger patent for that matter) failed to disclose, teach or suggest the combination defined by the limitations presented in claims 26 and 29 including, in particular, cooperation between the bell crank arm and cam being defined as occurring during relative movement between the bell crank arm and cam via displacement of an end part of the bell crank arm along the cam. To the extent that the Brodersen 426 patent discloses a bell crank arm, the end portion of the bell crank arm does not move along the cam as is required by dependent claim 29.

For at least these additional reasons, each of the aforementioned dependent claims is believed to define patentable subject matter and presented in condition for allowance such that allowance of each dependent claim is respectfully requested.

8. The rejection of claim 30 is overcome and should be withdrawn.

Independent claim 30 is believed to distinguish over the prior art of record including the Brodersen 426 patent because none of the references of record, including the Brodersen 426 patent, disclose, teach or suggest a bell crank suspension module that is fixable to either the base or the seat supporting platform which includes a rotatively displaceable arm having a roller that

is capable of riding along a least a portion of a cam carried by the seat supporting platform or the base. To the extent that the Brodersen 426 patent discloses any kind of a bell crank arrangement, it fails to disclose, teach or suggest a bell crank suspension *module*, let alone a bell crank having an arm with a roller capable of riding along at least part of a cam. To the extent that the Brodersen 426 patent discloses a rotatively displaceable outwardly extending arm associated with any kind of a bell crank arrangement, it does not have a roller and there is no cam along which it is capable of riding. For at least these reasons, independent claim 30 is believed presented in condition for allowance and its allowance is respectfully requested.

9. The rejection of dependent claim 31 should also be withdrawn

Claim 31 is believed presented in condition for allowance because the Brodersen 426 reference fails to disclose a cam against which a roller of a rotatively displaceable arm of a bell crank suspension module can ride along. In addition, Brodersen also fails to disclose a roller that is a circular wheel as defined in claim 31. With reference to Fig. 2 of Brodersen, bell cranks 55 are attached by a pivot 59 (Figs. 3-4) to a latch 70. Thus, its bell cranks 55 lack any kind of a roller, let alone a roller that is a circular wheel. For at least these additional reasons, dependent claim 31 is believed presented in condition for allowance and its allowance is respectfully requested.

10. The rejection of dependent claim 34 should also be withdrawn

Dependent claim 34 has been amended not for the purpose of distinguishing over the prior art but for the purpose of better defining applicants invention. Claim 34 is believed presented in condition for allowance because it ultimately depends from independent claim 30, which itself is believed presented in condition for allowance. In addition, claim 34 is believed presented in condition for allowance because the Brodersen 426 reference fails to disclose a cam having a substantially linear cam surface let alone one that is upraised relative to the base or platform that carries it. To the extent that Brodersen discloses any kind of structure that could be possibly considered as corresponding to a cam, such structure does not accommodate a roller of a rotatively displaceable arm of a bell crank that is capable of riding along the cam. For at least these additional reasons, dependent claim 34 is believed presented in condition for allowance and its allowance is respectfully requested.

11. The rejection of claim 36 is overcome and should be withdrawn.

Independent claim 36, without amendment, is believed to distinguish over the prior art of record including the Brodersen 426 patent because none of the references of record, including the Brodersen 426 patent, disclose, teach or suggest the combination of a biasing element and truncated roller that rides along a cam in one direction when the suspension is collapsing and in another direction when the suspension is expanding. In addition, rejection of this claim is inconsistent with examiner's indication that original dependent claims, which also recite a truncated roller, define allowable subject matter. For at least these reasons, independent claim 36 is believed presented in condition for allowance and its allowance is respectfully requested.

12. The rejection of claim 37 is overcome and should be withdrawn.

Independent claim 37 is believed to distinguish over the prior art of record including the Brodersen 426 patent because none of the references of record, including the Brodersen 426 patent, disclose, teach or suggest the claimed combination including, in particular, a damper carried by a bell crank arm of a bell crank suspension arrangement. For at least these reasons, independent claim 37 is believed presented in condition for allowance and its allowance is respectfully requested.

13. The rejection of dependent claims 40- 41 should also be withdrawn

Claims 40-41 are believed presented in condition for allowance because each one of these dependent claims ultimately depends from independent claim 37, which is believed presented in condition for allowance for at least the reasons stated above. In addition, each of these claims is believed to recited patentable subject matter independent from any claim from which it depends. Therefore, for at least these reasons, each of dependent claims 40-41 is believed presented in condition for allowance and its allowance is respectfully requested.

With regard to claim 40, despite what is contended in the Office Action, neither Brodersen reference, alone or in combination with any other reference of record, discloses, teaches or suggests a bell crank suspension arrangement where height adjustment and weight adjustment can be made without substantially affecting one another. With regard to claim 41, none of the references of record disclose, teach or suggest use of a truncated roller.

14. The rejection of claim 42 is overcome and should be withdrawn.

Independent claim 42 is believed to distinguish over the prior art of record including the Brodersen 426 patent because none of the references of record, including the Brodersen 426 patent, disclose, teach or suggest the claimed combination including, in particular, a bell crank suspension arrangement that includes height and weight adjustment that can be performed without one affecting the other and vice versa. First of all, the Brodersen 426 patent nowhere specifically states in the text of the patent that height and weight adjustment can be done without affecting one another. Second, with reference to the drawing figures of the Brodersen 426 patent and Figs. 3, 7 and 8 in particular, it is clear that performing height adjustment will change spring preload tension thereby affecting weight adjustment. More specifically, when the latch 70 bottoms out against the lower seat pan, e.g., base, in Fig. 8, the resultant moment created in bell crank arm 55 pivots the bell crank arm 55 thereby stretching springs 31 and 32 changing their tension. By changing spring tension, weight adjustment is affected even though weight adjustment using knob 41 was not performed.

For at least these reasons, independent claim 42 is believed presented in condition for allowance and its allowance is respectfully requested.

15. The rejection of claims 43 and 44 are overcome and should be withdrawn.

Independent claims 43 and 44 each each believed to distinguish over the prior art of record including the Brodersen 426 patent because none of the references of record, including the Brodersen 426 patent, disclose, teach or suggest the claimed combination including, in particular, a bell crank suspension arrangement that includes a weight adjustment assembly and a height adjustment assembly that is infinitely adjustable between a pair of limits, i.e., extents or stops. Neither Brodersen patent (as well as Roethlisberger for that matter) discloses, teaches or suggests such infinite height adjustment. To the extent that the Brodersen 426 patent discloses a bell crank suspension arrangement that includes a height adjustment assembly, its height adjustment assembly is not infinitely adjustable. One of three discrete detents 71, 72 and 73 of latch 70 cooperate with a retention pin 85 of latch supports 80 by engaging the detent 71, 72 or 73 to retain the seat suspension in a corresponding discrete height adjustment position. In contrast, the claimed invention permits seat suspension height to be adjusted anywhere between two limits,

e.g. upper and lower height adjustment limits. Brodersen's height adjustment assembly with just three disclosed height adjustment positions is not and cannot be equated with infinite adjustment.

For at least these reasons, independent claims 43 and 44 are each believed presented in condition for allowance and its allowance of each of these claims is respectfully requested.

16. The rejection of claim 45 is overcome and should be withdrawn.

Independent claim 45 has been amended not for the purpose of distinguishing over the prior art but rather for the purpose of better defining applicants invention. For example, neither Brodersen reference fails to disclose, teach or suggest a suspension arrangement of a vehicle seat suspension that communicates with the base in the platform and which as a pair of generally parallel biasing elements, e.g., springs, along with a damper that is located or set between the biasing elements. The Brodersen 426 patent fails to disclose any damper whatsoever and the Brodersen 410 patent discloses a damper 50 that is not located or otherwise set between the coil springs 28, 29 of the suspension arrangement that is disclosed in this patent. By locating the damper between the biasing elements, a suspension arrangement of more uniform, robust, durable, reliable, and compact construction advantageously results. In contrast, the suspension arrangement of neither Brodersen provides such advantages. For at least these reasons, independent claim 45 is believed presented in condition for allowance and its allowance is respectfully requested.

In addition, independent claim 45, as amended, further distinguishes over the cited references of record, including both Brodersen references. For at least these additional reasons, independent claim 45 is believed presented in condition for allowance and its allowance is respectfully requested.

17. The rejection of dependent claim 46 should also be withdrawn

Claim 46 is believed presented in condition for allowance because it depends from independent claim 45, which is believed presented in condition for allowance for at least the reasons stated above. In addition, this claim is believed to recite patentable subject matter independent from the claim from which it depends. Therefore, for at least these reasons, this dependent claim is believed presented in condition for allowance and its allowance is respectfully requested.

18. The rejection of claim 47 is overcome and should be withdrawn.

As amended, independent claim 47 distinguishes over the cited art of record, including the Brodersen references. Among other things, Brodersen fails to disclose, teach or suggest the claimed combination including a damper having one end mounted to a suspension housing and its other end mounted to a bell crank arm that is pivotally mounted to the suspension housing. For at least these reasons, this claim is believed presented in condition for allowance and its allowance is respectfully requested.

19. The rejection of claim 48 is overcome and should be withdrawn.

As amended, independent claim 48 distinguishes over the cited art of record, including the Brodersen references. Among other things, Brodersen fails to disclose, teach or suggest the claimed combination including a suspension module fixable to the base or platform having a bell crank arm pivotally mounted to the suspension module that cooperates with the platform or base and that includes a weight adjust assembly with a biasing element and biasing element preload adjuster. Such a suspension module advantageously permits assembly of the suspension module separate from the rest of the vehicle seat suspension before being fixable to the base or platform of the vehicle seat suspension. Thus, manufacturing of the various components of a vehicle seat suspension equipped with a vehicle seat suspension module can be carried out more efficiently, expeditiously and economically than if every component of the vehicle seat suspension were required to be assembled at the same location. For at least these reasons, this claim is believed presented in condition for allowance and its allowance is respectfully requested.

20. The rejection of claim 49 is overcome and should be withdrawn.

As amended, independent claim 49 distinguishes over the cited art of record, including the Brodersen references. Among other things, Brodersen fails to disclose, teach or suggest the claimed combination including a suspension module for a vehicle seat suspension that includes a plurality of biasing elements, e.g., springs, carried by the module and a suspension arm pivotally carried by the module that cooperates with the biasing elements. Neither Brodersen reference discloses a module and, as previously discussed, Roethlisberger is non-analogous prior art that is simply inapplicable as prior art against the claimed invention.

The suspension module of the claimed invention advantageously permits assembly of the suspension module separate from the rest of the vehicle seat suspension before being fixable to the base or platform of the vehicle seat suspension. Thus, manufacturing of the various components of a vehicle seat suspension equipped with a vehicle seat suspension module can be carried out more efficiently, expeditiously and economically than if every component of the vehicle seat suspension were required to be assembled at the same location. For at least these reasons, this claim is believed presented in condition for allowance and its allowance is respectfully requested.

NEWLY PRESENTED CLAIMS

Claims 54-58 are newly presented independent claims that are each believed presented in condition for allowance and allowance of each is respectfully requested. Each of these newly presented claims is believed to distinguish over the cited art of record, including the Brodersen references. Several of these newly presented claims have been presented to address or ameliorate minor informalities in one or more of canceled claims 50-53. In addition, these newly presented claims are presented to better define applicants' invention and not for the purposes of distinguishing over the prior art. For at least these reasons, claims 50-53 are each believed to be presented in condition for allowance and allowance of each of these claims is respectfully requested.

Conclusion

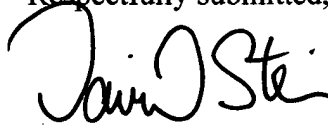
The currently amended and presently pending claims set forth above are all believed presented in condition for allowance and their allowance is respectfully requested.

Applicant hereby respectfully requests a three-month extension of time and hereby encloses a check in the amount of \$2,070 of which \$1,020 is allotted to pay for the three month extension for a large entity. The remainder, namely \$1,050, is allotted for the addition of five (5) independent claims and one (1) additional claim over the number previously presented.

No other fees are believed to be due with the submission of this communication. Nevertheless, the Director is authorized to direct any additional fees associated with this or any other communication, or credit any overpayments to Deposit Account No. 50-1170.

Should the Examiner have any questions or comments, the attending to of which would expedite the prosecution of this application, the Examiner is invited to contact the undersigned at the telephone number appearing below.

Respectfully submitted,



David D. Stein
Registration No. 40,828

USPTO Customer No. 23598
Boyle, Fredrickson, Newholm,
Stein & Gratz, S.C.
250 Plaza Building, Suite 1030
250 East Wisconsin Avenue
Milwaukee, WI 53202
Telephone: (414) 225-9755
Facsimile: (414) 225-9753
Email: dds@boylefred.com